

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10193 of 2016

Arising Out of PS.Case No. -339 Year- 2014 Thana -SONEPUR District- SARAN

1. Sudhir Rai
2. Subhash Rai, Both Sons of Rameshwar Rai,
3. Sudeshwar Rai, Son of Bhuneshwar Rai, All residents of village - Chak
Upsaid, P.S. - Sonepur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Rajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. M.Dayal(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-05-2016 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Sonepur P. S. Case No. 339 of 2014 registered for offence
punishable under Sections 386, 387 and 392 of the Indian Penal
Code. Initially complaint case was filed, which was later on
registered under Sections 156 (3) of the Cr. P. C. as the present P.
S. Case.

The allegation is that on 19.06.2014 at 9 P.M. the
informant Vishwajeet Rai loaded the sand on his truck bearing
registration No. BR 1G-3165 from Pahlejaghat and proceeded for
Muzaffarpur and when reached near Govindchak Railway crossing

then his cousin brother stopped him for food and in the meantime, all the above named petitioners being armed with knife came and snatched the key of the truck and petitioner No. 1, Sudhir Rai started the truck and fled away. On hulla witnesses came and witnessed the occurrence.

Learned counsel for the petitioners submits that the petitioners are innocent, having no criminal antecedent as is evident from para-3 of the petition and on the ground of previous enmity regarding land dispute in which the matter was decided in favour of the petitioners and being Co-villagers, the petitioners have been falsely implicated in this case to take revenge. He further submits that due to village politics, the interested witnesses have supported the prosecution case.

However, learned A.P.P. for the State submits that the petitioners are named in the F.I.R., hence opposes the prayer for bail.

Be that as it may, since both sides are on inimical terms and there was a land dispute between both parties, let the above named petitioners in the event of their arrest or surrender before the Court below within a period of eight weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to

the satisfaction of learned Chief Judicial Magistrate, saran at Chapra in connection with Sonapur P. S. Case No. 339/2014, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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